

INSTRUCTIONS FOR REGISTRATION AND REREGISTRATION OF PESTICIDES IN MISSISSIPPI

A copy of the law, regulations, forms, and instructions may be found on our website at www.mdac.state.ms.us

To access this information, select Bureaus and Departments, select Plant Industry from pop-up menu, select Pesticide Programs, and select Regulations (Mississippi Pesticide Law – Rule 1).

Completion of Application: Submit **two** completed applications. **Include payment of \$200.00 for each pesticide brand. There is No Charge for additional brands (refer to Additional Brands below).** Make check or money order payable to MDAC. Complete the name, mailing address, and e-mail address of the company registering the product. Complete the additional submittal information if you are submitting the application for the registrant. **You must enter the company's Tax ID number in the provided field if the company does not have an EPA Reg. No.** A new company registering product(s) must have a power of attorney (POA) form filed with the Secretary of State's office. **ONLY NEW COMPANIES NEED TO FILE A POA.** If you are submitting the application for a new registrant, you must confirm that your client has this required POA before submitting applications to our office. You must submit an application for each company. Include a legible copy of a current label for each new product on the application **by PDF format on a CD or e-mail** to Alanna@mdac.ms.gov or Melissa@mdac.state.ms.us. **Please create a product file as follows. Please send labels of new or revised products with the EPA registration number listed first. EXAMPLE: 42786-34-9800_JIM'S INSECT SPRAY (NAME OF PRODUCT) OR JUST BY EPA# ONLY I.E. 42786-34-9800.** No paper copies are needed. After receiving and processing all required documents, one copy will be turned certifying registration. No product is registered until you receive this document.

Rebate Instructions: **Rebates apply only to products produced in Mississippi.** If your product(s) qualify for the rebate (see Section 2 of the Regulations), complete the rebate section.

- (1) For each brand the basic manufacturer must submit a \$200.00 registration fee. A rebate of \$100.00 can be requested for those brands produced and labeled in Mississippi. The application must be completed and the box checked for those products for which a rebate is requested. Notarized documentation must be submitted as described on the application.
- (2) Rebates will not be issued until registration fees for all products have been received and the product(s) are registered.
- (3) Rebates will not be issued until the Bureau of Plant Industry (BPI) receives a current label, either on a diskette, CD or e-mail.
- (4) Additional brand names are not eligible for rebates, since no registration fee is required for registering additional brands.

Renewals: List the products (numerically by EPA number) renewed from the previous year first on the application and check the box to renew. List new products last (numerically by EPA number) and check the box for new products.

Discontinuance of Pesticide Registrations: By regulation a registrant is only required to register a product for one year after it ceases to produce the product; however, it is the registrant's responsibility to register products until they have cleared the channels of trade. For products to be discontinued, please check the appropriate block.

Additional Brands: A fee is not required to register additional brands if they meet the requirements of Section 5 of the regulations. These requirements include: (1) The EPA registration numbers must be the same for the first two sets, only the third set (distributor numbers) can be different. (2) The ingredient statements must be the same. (3) All use directions must be the same. (4) Only pesticides registered with EPA by the same manufacturer shall be considered for additional brands. Products produced for distributors and/or another company must provide the name and address of the company on the label. It must appropriately state on the label, "sold by", "distributed by", "manufactured for", or "packaged for." If you are registering additional brands, list products and check the box for additional brands.

SLN (24c) Products: Any active 24(c) label you wish to continue should be listed on the Application for Registration for Pesticides form. Submit any label changes (CD or e-mail to zack@mdac.state.ms.us). Create product files by listing the EPA registration number first.

EPA Exempt Products: The regulations (see Section 7) require registration of FIFRA Section 25(b) exempt products and animal drugs which make insect control claims. If they are deemed a pesticide as defined in the law and/or regulations, they must meet all labeling and other requirements as specified. **Efficacy data are required to support label claims for FIFRA Section 25(b) products. Submit all data supporting registration of these products.**

Adjuvants: Special requirements exist for the registration of adjuvants. The label ingredient statement for adjuvants must show each active ingredient at least by the generic chemical name and the percentage for each. (See Section 9 of the regulations and the instructions for registering an adjuvant.)

Power of Attorney: This section only applies to new registrants that have no product(s) registered in Mississippi. Section 69-23-23 requires non-resident firms, which distribute or offer a pesticide for sale in Mississippi, to appoint a resident agent for service of process. According to this Section, the resident agent may be either the Secretary of State or any Mississippi resident agent who agrees to serve. In either case, the law requires the registrant to furnish a certified copy of the designation to the Bureau of Plant Industry from the Secretary of State. The appointment will remain in force indefinitely unless revoked. ~~A firm whose name appears on the pesticide label as a distributor or a manufacturer must appoint a legal processing agent unless that firm is a division/subsidiary of another parent organization. A certified copy of the document verifying the parent firm's appointment of a legal agent must be provided to the Bureau of Plant Industry from the Secretary of State's office.~~

Power of attorney forms must be completed, notarized and sent to the **Business Services Division, Secretary of State, P. O. Box 136, Jackson, MS 39205.** The Secretary of State charges a **\$37.00 filing fee.** Send the check or money order to the **Secretary of State.**

If the power of attorney form is obtained from the internet, it must be duplicated front and back for notarization on the reverse as one document.

If you are a Mississippi resident, a power of attorney is not required. However, you must provide a notarized statement indicating your Mississippi residence address. If your address changes, you are required to provide us with a notarized statement indicating your new Mississippi address.

Labeling: Labels for new or revised must be submitted to the Bureau of Plant Industry (BPI). We do not want renewed labels unless they have been revised. The preferred submission is PDF format on a CD, or e-mail to Alanna@mdac.ms.gov or melissa@mdac.state.ms.us. Supplemental labels or label updates should be submitted throughout the calendar year and must be sent to the BPI. **Please use format to create product files listing the EPA registration number first.** Distribution and use are not legal in Mississippi until the BPI has a label on file and the application is in hand. Application without label is not acceptable.

CHECK LIST:

- √ Completed application – Submit in duplicate.
- √ Revised or new labels – **PDF format on CD or e-mail** to Alanna@mdac.ms.gov or melissa@mdac.state.ms.us.
- √ **\$200.00 per product** – check or money order payable to Mississippi Department of Agriculture & Commerce (MDAC). **(No Fee For Additional Brands)**
- √ **Power of Attorney, (new companies only) – send completed & notarized form & \$37.00 check payable to Mississippi Secretary of State, P.O. Box 136, Jackson, MS 39205.**
- √ Send application & \$200.00 per product to: **Bureau of Plant Industry (BPI), P. O. Box 5207, Mississippi State, MS 39762-5207. E-mail new or revised label(s) to Alanna@mdac.ms.gov or melissa@mdac.state.ms.us.**

Confirmation of Approved Registration: Once our office receives and processed all required documents, we will return one copy of your application that has been stamped “**Approved & Dated**”. This document is the only certification that your products are registered in Mississippi.